

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

OCEAN SEMICONDUCTOR LLC,

Plaintiff,

v.

NXP SEMICONDUCTORS N.V., NXP B.V.,
and NXP USA, INC.,

Defendants.

Civil Action No. 6:20-cv-1212-ADA

JURY TRIAL DEMANDED

JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 21, Defendant NXP USA, Inc. (“Remaining Defendant”), Defendants NXP B.V. and NXP Semiconductors N.V. (“Foreign Defendants”), and Plaintiff Ocean Semiconductor, LLC (“Ocean” or “Plaintiff”) stipulate and jointly move to dismiss the Foreign Defendants as misjoined parties to this lawsuit without prejudice and with no award of fees or costs, based on the following:

1. The Foreign Defendants represent to Plaintiff that they are misjoined parties because they do not conduct any of the activities accused in this lawsuit and do not make, use, offer to sell, or sell in the United States or import into the United States, any of the accused products identified in the Complaint.

2. The Foreign Defendants represent to Plaintiff that they are misjoined parties because they do not make, use, offer to sell, or sell in the United States or import into the United States, any of the Accused Products identified in the Complaint. The Remaining Defendant agrees that the Foreign Defendants are misjoined, that it books all relevant revenues, costs, and

profits for the products/activities accused in the lawsuit, and that it has the ability to pay any judgment.

3. The Foreign Defendants represent to Plaintiff that they do not possess discoverable information relevant to this lawsuit. Upon entry of an order of dismissal of the Foreign Defendants without prejudice, for the purposes of discovery in this matter, the Remaining Defendant and the Foreign Defendants agree that all information, witnesses, and documents in the possession, custody, or control of the Foreign Defendants, if any, shall be deemed in the possession, custody, or control of the Remaining Defendant, but only to the extent they may be relevant to this litigation, and they are not otherwise available from Remaining Defendant. Plaintiff and Remaining Defendant agree to meet and confer in good faith to resolve any objections consistent with the above agreement, including without limitation objections to the nature or scope of any requests for documents, information, testimony, or any other discoverable matter.

4. If later information or discovery reveals that the Foreign Defendants should be parties to this lawsuit, Plaintiff reserves the right to seek joinder of the Foreign Defendants to this lawsuit, and both the Foreign Defendants and the Remaining Defendant agree that they will not oppose such a joinder.

DATED: May 12, 2021

DEVLIN LAW FIRM LLC

By: /s/ Alex Chan
Timothy Devlin
tdevlin@devlinlawfirm.com
Henrik D. Parker
hparker@devlinlawfirm.com
Alex Chan
Texas State Bar No. 24108051
achan@devlinlawfirm.com
1526 Gilpin Ave.
Wilmington, Delaware 19806
Telephone: (302) 449-9010
Facsimile: (302) 353-4251

*Attorneys for Plaintiff Ocean Semiconductor
LLC*

SHELTON COBURN LLP

By: /s/ Bradley Coburn
Barry K. Shelton
bshelton@sheltoncoburn.com
Texas State Bar No. 24055029
Bradley Coburn
coburn@sheltoncoburn.com
Texas State Bar No. 24036377
311 RR 620, Suite 205
Austin, TX 78734-4775
Telephone: (512) 263-2165

Attorneys for NXP Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's ECF system.

/s/ Alex Chan
Alex Chan